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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

MARK PETTIBONE, *et al.*,

Plaintiffs,

v.

JOSEPH R. BIDEN, JR., *et al.*,

Defendants.

Case No. 3:20-cv-01464-YY

**AGENCY AND OFFICIAL-
CAPACITY DEFENDANTS'
MOTION TO UNSEAL**

MOTION TO UNSEAL

L.R. 7-1 Certification

The agency and official-capacity defendants conferred on this Motion with counsel for Plaintiffs. Plaintiffs do not oppose the Motion to unseal.

MOTION TO UNSEAL

The agency and official-capacity defendants submit this motion to unseal two sealed documents. In support of their motion to dismiss, the agency and official-capacity defendants filed a declaration by a federal law enforcement officer, identified as “CBP SOG-1,” with the name of the declarant redacted. *See* ECF No. 26-3. The agency and official-capacity defendants moved to file an unredacted version of this declaration under seal, and the Court granted this motion. *See* ECF No. 27, 29. The agency and official-capacity defendants filed another declaration by the same declarant in support of their motion for partial protective order, again with the name redacted, *see* ECF No. 53, and the Court again granted a motion to file under seal an unredacted version of that declaration, *see* ECF No. 54, 55. After reviewing the declarations and publicly available information, the government has determined that the sealed information—the name of declarant CBP SOG-1—does not need to remain under seal. The declarant concurs with this conclusion. As such, the agency and official-capacity defendants respectfully request that the Court unseal both declarations by CBP SOG-1.

Dated: May 13, 2021

Respectfully submitted,

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